

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GABRIAL WILLIAMS,

Petitioner,

v.

STATE OF NEVADA, et al.,

Respondents.

Case No. 3:20-cv-00405-RCJ-WGC

ORDER

Petitioner has filed an application to proceed in forma pauperis (ECF No. 1), indicating that he wishes to pursue a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner is able to pay the full filing fee of \$5.00.

The court has not received the habeas corpus petition itself. The court has received only the application to proceed in forma pauperis and an ex parte motion for appointment of counsel. Petitioner will need to file a habeas corpus petition.

IT THEREFORE IS ORDERED that the application to proceed in forma pauperis (ECF No. 1) is **DENIED**. Petitioner will have forty-five (45) days from the date that this order is entered to have the filing fee of \$5.00 sent to the clerk of the court. Failure to comply will result in the dismissal of this action.

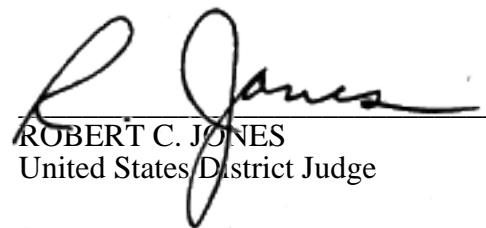
1 IT FURTHER IS ORDERED that the clerk of the court shall send petitioner two copies of
2 this order. Petitioner is ordered to make the necessary arrangements to have one copy of this
3 order attached to the check paying the filing fee.

4 IT FURTHER IS ORDERED that petitioner shall have until up to and including 30 days
5 from entry of this order to file a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.
6 Failure to comply will result in the dismissal of this action.

7 IT FURTHER IS ORDERED that neither the foregoing deadline for filing a petition nor
8 any extension thereof signifies or will signify any implied finding as to the expiration of the
9 federal limitation period and/or of a basis for tolling during the time period established.

10 Petitioner always remains responsible for calculating the running of the federal limitation period
11 and timely asserting claims, without regard to any deadlines established or extensions granted
12 herein. That is, by setting a deadline to file a petition and/or by granting any extension thereof,
13 the court makes no finding or representation that the petition, any amendments thereto, and/or any
14 claims contained therein are not subject to dismissal as untimely. See Sossa v. Diaz, 729 F.3d
15 1225, 1235 (9th Cir. 2013).

16 DATED: September 22, 2020.

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18 ROBERT C. JONES
19 United States District Judge
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